

APOSTOLIKE OBEDIENCE.

Shewing the *Duty* of *Subiects* to pay
Tribute and *Taxes* to their *Princes*, accor-
ding to the *Word of God*, in the *Law* and
the *Gospell*, and the *Rules of Religion*,
and *Cases of Conscience*;

Determined by the *Ancient Fathers*, and the
best *Moderne Divines*; yea even by those
Neoterickes who in some other things, put too
strict Limits to *Regalitie*.

A Sermon preached at *Northampton*, at the
Assises, for the Countie, *Feb. 22. 1626.*

BY

ROBERT SYBTHORPE, Doctor in
Divinity, Vicar of *Brackley*.

*Tributa verò et Censùs, ijs qui à vobis constituti sunt,
ubiq; inprimis conamur pendere. Iust. Mart. Apol. pro
Christian. ad Anton. Pium.*

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sold by *James Bowler*.

1627.

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I Have read over this Sermon upon *Rom. 13. 7.* preached at *Northampton* at the assises for the County *Feb. 22. 1626.* by *Robert Sybthorpe* Doctor of Divinity, Vicar of *Brackley*, and I doe approve it as a Sermon learnedly and discreetly preached, and agreeable to the *ancient Doctrins* of the *Primative Church*, both for *Faith* and *good manners*, and to the *Doctrine* established in the *Church of England*, and therefore under mine hand I give authority for the printing of it, *May 8. 1627.*

GEO: LONDON.



S.T.C.
22526

TO THE MOST HIGH AND MIGHTY PRINCE

CHARLES, by the Grace of God

King of Great Britaine, France,
and Ireland, Defender of
the Faith, &c.

Most grations and dread Sovereigne;



HE smallest *Brookes* have their originall from the *Ocean*, and returne thither to pay their *Tribute*; So these my poore *Meditations*, which were first conceived upon *a your Majesties Instructions*, and afterward brought forth upon *b your Commission*, and lately learned to speake in a *c Solemne Iudicious Assembly*, being now *adventurous to walke abroad*, presume to present themselves to your *Gracious goodnesse*, in their dutie of *Allegiance and gratitude*, Humbly beseeching your *Highnesse protection*, that they may passe *securely* in your Kingdome, where they may tell your *Subjects* of that *Dutie*, which being understood to be *grounded upon Conscience and Religion*, they will (no doubt,) *rejoyce* that they have beene so *willing and ready* to performe it; with Prayers for which, and for your Majesties long and prosperous Raigne over us, I rest

Your Majesties

Loyall,

Obedient,

Humble Subject

Rob: Sybthorpe.

a Instructions directed from the Kings most excellent Majestie unto all the Bishops of this Kingdome, and fit to bee put in execution, agreeable to the necessity of the times.

b At Northampton Januay. 12. when, by the right Honourable the Lord President of the Counsell, and the Earle of Exeter, &c. I, with other Divines, was put upon it, to deliver my opinion in case of Conscience, and Religion, whether it were lawfull to lend to the King or not?
c At the Assises at Northampton.

TO HIS DEARE AND NOVRCEING MOTHER, THE

Church and Common-weale of England.

An humble Sonne, and devoted Servant, pray-
eth Peace and Prosperitie.

Holy and happy Mother:



*a*In his Maje-
sties instructi-
ons to all Bi-
shops, &c.

b Being the
protection of
Religion, and
safetie of the
State.

c As appears
by his Maje-
sties Commis-
sion for the
Loane.

Know his Majesties Love desireth to have you united and neare unto him, and so much he hath^a enjoymed us of the Tribe of Levi, to certifie unto you. Wherefore I thought it not my part to separate you, especially in a businesse which so nearely^b concerneth you as well as him; But earnestly to intreate you to take Consideration of the innocencie and obedience wherewith our Religion hath hitherto beene crowned, (which I here point at briefly, and could demonstrate at large,) and the Peace and Prosperitie which it hath produced. And whereas the^c Prince pleads not the Power of Prerogative, nor the leading of Presidents, so much as Pietie for Religions protection, the States occasion, and the inevitable Necessitie of the season. Ob! let not the People stand so much upon pretence of Libertie, as to lose Safetie. Nor let Forms bring the Matter to Privation, but let all meete in a sweet Mean for the Preservation of the Vniverse; for which perpetually praying, I continue

At your service and dispose,

ROB. SYBTHORPE.

APOSTOLIKE

O B E D I E N C E.

ROM. 13. 7.

Render therefore to all their Dues.



Rue was that saying of *Solon* which affirmed that *Cómon-weales* consist of *Reward* and *Punishment*, and that when these bee taken away, the whole discipline of Cities faileth and is dissolved; For the care of Equity and Iustice waxeth cold in the mindes of many, unlesse there be due honour for vertue, neither can the wiltulnesse of wicked men be restrained, but by severity and chastisement of pains: wherfore, whereas the principall part of Iustice is, *Vnicuiq; suum tribuere*; To render to every man his owne; a more proper Text in my opinion, cannot bee se-

B

lected

lected for this Iudicious and Iudiciary Assembly, then this of the Apostle proposed unto you; *Render therefore to all their dues.*

For the generall Exposition and Cohærence of which words, it is obvious to every understanding observer, That after that our Apostle had descended from *Doctrinall* points of Faith (which hee handled in the eleven first Chapters) to *Morall* Inferences and Instruction for life; as conclusions to bee drawne out of the premises, Chap 12. And had therein mixed the mutuall duties of sundry vocations in the generall; He in this Chapter from the first verse to the eighth, deciphereth *the speciall prerogative, and absolute obedience, which Souereignes have, and Subjects owe, in particular:* which he inforceth by a kinde of *Rethoricall Syllogisme.* The Major whereof is in the first words of the first verse, *Let every soule be subject unto the higher powers:* The Minor to confirme his Position in the latter end of the same, and in the 2. 3. 4. 5. and 6. verses following, *for there is no power but of God; the powers that be*

be are ordained of God: VWhereupon hee grounds and drawes a Conclusion in this verse, part whereof I onely handle, Render therefore to all their dues.

The *Minor* of this Rhetoricall Syllogisme consists of divers Prosyllogismes, out of every of which is deduced the proposed Conclusion, in this manner:

There is no power but of God, and the powers that be are ordained of God: verse 1.

1

But a *Prince* is a speciall power, and ordained of God:

Therefore for the *Ordainers sake*, which is God, Render to all their dues.

Whosoever resisteth the power, resisteth the Ordinance of God. And they that resist shal receive to themselves damnation: ver. 2.

2

But he that resisteth the *Prince*, resisteth the power and ordinance of God, and consequently shall receive damnation:

Therefore for your *soules sake*, Render to all their dues.

Rulers are onely a terrour to the wicked, but for the praise of those that doe well: v. 3.

3

But they that resist, it is a signe that they esteeme them a Terror, and expect no praise from them, and consequently that they are *wicked and not well doers*: Therefore for avoiding that imputation, *Even for your credits sake*, Render to all their dues.

4

The Ruler is the Minister of God for thy good: verse 4.

But it is just by the Law of Nature, that we should give to those that minister for our good:

Therefore for *Naturall Iustice sake*, Render to all their dues.

5

The Ruler beares not the sword in vaine, but is the Revenger of wrath on them that doe evil: verse 4.

But there is no man which doth not evil in some things, and consequently is subject to wrath and revenge:

Therefore even for *Policies sake*, Render to all their dues.

6

Ye must be subject, not onely for wrath, but also because of conscience: verse 5.

But whatsoever a man is bound to doe for

for conscience as well as for feare,
every man is bound to doe in duty :
Therefore *for duties sake*, Render to all
their dues.

^a You pay tribute to Rulers for this Cause, be-
cause they are Gods Ministers attending
continually upon Government: verse 6.

But whatsoever men attend upon con-
tinually, they are to bee paid that
which is due for it, and consequent-
ly *Princes* which attend upon go-
vernment continually, are to be paid
the due for it, which is *Tribute*:

Therefore *for Conscience sake*, Render to
all their dues.

And so from the Paraphrase I descend to
survey the Particulars; only let me entreat
leave by the way, that although *the speciall*
scope of my Text aime at the dues to ^b *all Prin-*
ces, whether good Governors or Tyrants, (as I
shal also prosecute it) yet I may not bee so
tied up, but that I may extend this (All) to al
persons, Princes & People, Magistrats and
Ministers Superior & inferior, Nocent and
Innocent; as S. Ambrose, Gorran, Musculus,

7

*a Non mirum est
Paulum tot mo-
dis & rationibus
commendare no-
bis obedientiam
erga Magistra-
tum; & facile e-
nim alioqui est
superbos hominū
sensus in hoc of-
ficio continere,
volumus enim
omnes esse domi-
ni & parere ne-
mini. Pet. Mart.
in loc.*

*b Athana. or
Vulgar. or Theo-
phil.
Aquin.
Lira.
Bruco.
Claud.
Calvin.
Marlorat.
Paras.*

c. vide Chrysost.

λογ. κγ.

Anstom. in loc.

Sedul.

Luther.

Ostind.

Muscul.

Arct.

Brent.

Fulk. &c.

and Rolloc understand it: V Where hence in
stead of a *Division*, let mee commend to
your consideration these *four positions*:

First;^c That Christian liberty hath not
freed us from Civill Obedience, but that
Christians are bound in duty one to ano-
ther, especially all Subjects, to all their Princes,
according to the *Lawes & Customes of the king-
dome wherein they live*, intimated in this
word (*Dues.*)

Secondly; That those duties to which
Christians are so bound, are not onely im-
posed upon some, and others loose, but as
they are *promiscuous*, so they are *universall*
Duties, implied in these words, (*to all.*)

Thirdly; That although there be duties
to which Christians are so obliged, and all
have their part in the matter of that Oblig-
ation or Dutie, yet they have it in a *disse-
rent degree or manner*, every one in his parti-
cular place and order, designed in this
word (*their.*)

Fourthly; That those duties of every man
according to his order, to all Princes, are not
to be performed meerely for compulsory

Ne-

Necessity, but voluntarily and cheerefully, denoted in this word (Give or Render.) Render therefore to all their dues.

First; That Christian Liberty hath not freed us from Civill Obedience; but that Christians are bound in duty one to another, especially all Subjects, to all their Princes, according to the *Lawes and Customes of that Kingdome wherein they live*, intimated in this word (*Dues.*)

VVho soever can put difference between the body and the soule, betweene this present transitory life, and that eternall which is to come, he shall easily understand, That the *spirituall Kingdome of Christ, and the Civil government of Princes, are things of a different nature, John 18.36.* And that the liberty of the Soule frō *Iewish* or over-*numerous Ceremonies*, and of the body from *subjection*, have no relation, nor cary any correspondency the one to the other, but that it is a *Iewish error* to inclose the kingdome of Christ under the elements of this world, and to confound the licentiousnesse of the flesh with the liberty of the spirit, hence *spirituall liberty*

berty may very well agree with civill bondage,
 1 Cor. 7. 21. and it is not materiall, whether
 thou be bond or free, Iew or Grecian, Bar-
 bariã or Scythian, in what degree or estate,
 or under the Lawes of what Nation thou
 livest, (so that thou keepe the Law of God
 inviolate) *Thou art bound to performe civil o-
 bedience to the Lawes of the Land where thou
 livest; yea, ex necessitate justitie tenentur sub-
 diti, saith,*^a *Aquinas; Subjects are bound to
 obedience by the double obligation of Justice
 and of Necessity; except they will suffer as
 Rebels, or ill-doers, or busie-bodies in other
 mens matter, as*^b *S. Peter phraseth it. Or
 except they will have that inconvenience
 granted, that the Generall Lawes or Govern-
 ment of a Nation, must be dispensed withall ac-
 cording to the particular conceit and apprehen-
 sion of every private person. Whereout what
 Tolleration of heresie; what Connivence at er-
 rors; what danger of Schismes in the Church,
 and Factions in the State, must necessarily
 follow, is easie to be conjectured: so that
 the common Adage vnder Nerva's Empire
 would bee verified, It is ill to live under a
 Prince*

a In loc:

b 1 Pet. 4. 15.

Prince under whom nothing is lawfull, but worse to live under him under whom All things are lawfull, under the one a Tyranny consumes some, under the other an Anarchie confounds all, which if we will avoid in a Christian Commonaltie, then where the libertie of a few erroneous consciences, brings the Bondage of many regulated Commands; *Habemus necessitatem vindicandæ Libertatis, si * per iniquas exactiones pseudo-apostolorum ea infirmis in conscientijs periclitetur*, saith Calvin; and we must preferre the generall before the particular, and not let every one bee let loose to their list and affection, but all must bee kept within the lists of their Dutie and Subjection, (Dues.)

For the better accomplishment whereof, wee must consider in the second place, That those Duties to which Christians are so bound, are not only imposed upon some, and others loose, but as they are promiscuous, so they are universall Duties, implied in these words (To all.)

Which that wee may survey without Confusion, we must consider that the ^aBo-

Calvin. Instit.
lib. 3. cap. 19. 12.
* Such as were
those false apo-
stles, who mixt
Iudaisme with
Christianity
And such as are
those factious
Preachers, who
countenance
Libertinisme,
and Disobedi-
ence to Princes,
vnder the color
of Religion;
unjustly exact-
ing that from
the people to
themselves,
which they
ought justly
to give to God
and their King.

4 I Cor. 12.

dy politike, like the body naturall, consists of the head and members: Those Members either Confusedly make vp the Trunke or Corps, or more Particularly are Distinguished into more, or lesse principall; The Superiour and Inferiour Orbe, as Phisitians phrase it; The Head represents the Prince or King; The Truncke, the Common-weale or people; And as in the body Naturall, euery Member hath his office, either to minister nourishment and helpe to, or to suffer and be compassionate with, the other; except it be withered, dried vp, dead, insensible, and vselesse. So in the body Politike, euery one of the fore-said Members, hath his Duty to performe to, and his due to receiue of others.

*b Videtur mihi
Apostolus hic
summam velle
comprehendere
quibus in rebus
ita sint subdito-
rum erga Magi-
stratus officia,
Nempe ut ipsos
in pretio ac hono-
re habeant, ut
eorum pareant
edictis, legibus,
iudiciis, ut tribu-
ta & vestigalia
persoluant, non
portoria modo &
indictiones, sed et
alios quoque red-
ditus. Calvin.
in loc.*

The Prince who is the Head, and makes his Court and Counsell, as the *sedes sensuum*, hath his Duty to 1 Direct, 2 Command, and 3 Protect. ^b And his Due to bee, 1 honoured, 2 obeyed, and 3 maintained.

His dutie to 1 direct, 2 command, and 3 protect.

First, to direct and make lawes, Eccles. 8. 3. 4. Hee doth whatsoeuer pleaseth him, where

where the word of the King is, there is power. And who may say unto him, what dost thou?

Secondly, to command execution of law and justice, Proverb. 16. 10. A divine sentence is in the lips of the King, his mouth transgresseth not in judgement; But the wrath of the King is the messenger of death, verse 14. So that *Nemo leges Regum impune reprobat nisi Reges ipsi, in quibus prævaricationis crimen locum non habet, Prudenter enim dictum est, impium esse qui Regi dixerit, iniquè agis,* saith Saint^a Cyril.

^a In Job. l. 12:
656.

Thirdly, to protect the lawes and people commanded by him, and committed to him, The Embleme and Motto of *Alphonfus* King of *Naples*, which was a Pelican drawing blood from her owne brest with her beake to revive her yong ones, with this Inscription, *Pro lege et grege*, being a proper ensigne for religious Princes. Which duties being performed by a Sovereigne, he may rightly require these dues of Subjects; (yea whether he performe his duty or not, hee may require these dues of them, as even *Calvin & Bucanus* grant

it) to be 1 *honoured*, 2 *obeyed*, & 3 *maintained*.

1 First to be *honoured in their persons*; For this is a due that we finde not onely required by Saul, 1 Sam. 15. 30. *Honor me before the people*; but justly taken by David, 1 Reg. 1. 23. 31. wherupon *Paræus* makes the last words of this verse, *honor to whō honor belongeth*, to be proper & peculiar, especially, *Personæ Principis*.

And this due consists in a *candide construction* of all their actions, ^b although they commit some errors; as wee have example in that speech of *Bathsheba*, when she found *Adonijah* aspiring to the succession in the Kingdome, contrarie to *Dauids* oath to her concerning *Salomon*, She doth not *unreverently* taxe the King, but with a modest excuse for him, tels the error; Behold *Adoniah* raigneth, and now my Lord the King thou knowest it not, 1 Reg. 1. 18. So farre should Subjects be from ^a *suspicion*, *rash censure*, and *slander*, that they should esteeme it as a *reviling* and a *blasphemie* committed against God, to scandalize the Ruler of the people, Exod. 22. 26.

2 And as Rulers may justly challenge this honour to their persons, so may they with no lesse

^b Vid. Pet. Mart.
Tilman; Helhus.

^a Amand. Polan.
partis. Theolog. et
Tilenus, Pet.
Mart. Calvinus
1er. 29. & c.

lesse right call for Obedience to their lawes and commands; *Sive Princeps sit fidelis, sive infidelis, sive iuste, sive averse, aut dure imperet,* saith, ^b *Bucanus* (who is no Royalist) whether the Prince be a Beleever or an Infidell; whether hee rule justly or unjustly, courteously or couetously & cruelly; For wheras there are but *duo legis Termini*; Two effects of the law; 1 The one to performe the Commandement: 2 The other to undergoe the punishment. If Princes command any thing which Subjects may not performe; ^c because it is against the lawes of 1 God, or of 2 Nature, or 3 impossible; yet Subjects are bound to undergoe the punishment without either resistance, or railing and reviling. And so to yeeld a passive obedience, where they cannot exhibit an active one; yea and in that passive obedience there must bee still actually retained, 1 fidelitie, free from conspiracy, although they had power and oportanitie for it, 1 Sam. 26.8. 9. 10. Jerem. 29. 7. And 2 pietie to pray even for their oppressing Rulers; *ut det illis Deus vitam prolixam, imperiū securum, domum tutam,*

^b And Aug. in Psal. 124. *Julianus extitit infidelis imperator, nonne extitit Apostata? iniquus? idolatra? milites Christiani servierunt imperatori infideli, ubi veniebat ad causā Christi, non agnoscebant nisi illum qui in celo erat. Quando volebat ut idola colerent, ut thursi- carent, praponebant illi Deum: quando autem dicebat, Producite aciem, ibe contra illam gentē, statim obtemperabant: distinguebant Dominum eternum à domino temporali, et tamen subditi erant propter Dominum eternum etiam domino temporali. Rex in Conf. fidei Chr. &c c. 5. f. 45. Neque aliud vultum remedium proponitur privatis hominibus tyranno subiectis.*

^c I know no other case but one of those three wherein a Subject may excuse himselfe with Passive obedience, but in All other he is bound to Active Obedience.

a *Apol. c. 30.*b *Artic. 40.*c *Cap. 16.*d *Artic. 16.*et *Apol. Eccles.**Anglic. c. 6.**divis. 1. 4.*et *defens. Apol.**part. 4.*c *Calvin, et Bu-**can; de Magistrat.*et *Paræus in loc.*f *Calvin 4. Instit.**c. 20.*

* As for exam-

ple, statute for

Subsidy, *Iacob.*

21. Pole mo-

ney of all Stran-

gers, Denisons,

or not And

Statute for

Subsidie, *Carol. 1*

Pole money of

all Strangers,

Denisons, or

not. And also of

convict Recu-

sants above

17 yeares, be-

ing not Subsidy

men. And in

many other

places of our

Statutes.

*Habet ius exi-**gendi populus,**ordinaria Tribu-**ta seu taleam,**De 1 Capitibus,**2 Solo, 3 Bonis im-**mobilibus. 4 Et**Portoria seu re-**ffigalia de Mer-**sibus. Bucan, loc.**49 q. 52.*

exercitus fortes, populum probum, orbem quietum, That God would grant to them a long life, a secure raigne, loyall Courtiers, valiant Soldiers, obedient Subjects, and peacefull neighbouring Princes, as the *Primitive Christians*, prayed even for *Ethnicke Emperors* under whom they lived, as ^a *Tertullian* teacheth; whom the ^b *French Confession*, together with the *Confessions* of ^c *Bohemia*, and ^d *Aussurge*, seeme to imitate. Nor are *Princes* onely thus to be 1. *honoured*, and 2. *obeyed*, but 3. *maintained* also.

For *maintenance* is to bee allowed for *Princes* both for the *common charge* of every office, and ^e their *private Royaltie*, which is *conjoynd with the honour of the State*: And that not onely out of their ^f *Crowne Lands*, and *residues*, and *portions*, mentioned *Ezek. 48. 21*. But also by *imposed Taxes*; whether it bee ¹ *Φόρος. Tributum*, in this verse; *Ordinarie Taxes* upon *immoveables*; ² *Τέλος. vectigal*, in the same verse, in *posts* upon *Trades*, *Trafiques*, and *Merchandize*. ³ *Κένσος Census*, *Mat. 22. 17*. *Toll or Tythes* upon their *Lands*, or ⁴ *Διδραχμα* *Matth. 17. 24. 25*. * *Pole money of their*

their persons; at some times, and upon some occasions.

Tribute, being due to Princes by a *Triple Obligation*, as^f *Paras* affirms, (who I hope all will confesse is no parasite to them) *Iure*

1 *divino*, 2 *naturali*, & 3 *civili*, By the Law of God, as the signe of our subjection, by the Law of Nature, as the revward of their paines and protection; by the Law of Nations, as the sinewes of the States preservation. Sithence that without money, Soldiers cannot be waged for warre; Counsellors cannot be supported for peace; Intelligence cannot bee procured from abroad; Lawes cannot bee executed at home; nor Church can flourish; nor Common-weale stand firme: The consideration of which things, no question, made^u *Polycarpus*,^h *Martialis*,ⁱ *Iustin Martyr*,^k *Tertullian*,^l *Greg: Nazianzen*,^m *Ambrose*,ⁿ *August.* ^o *Hilarie*,^p *Prosper*,^q *Cyrl*,^r *Bernard*,^s *Anselme*, (but what name I to many?) yea all Antiquity to bee absolutely for absolute obedience to Princes in all civill or temporall things: And the more moderate moderne Divines, as^t *Luther*,^u *Brentius*,^x *Melancthon*,

Calvin,

^f In vers. 6. observat. 2.

^g Ad Philip. Ep.

^h Ep. ad Tolos.

ⁱ In Apol. pro Christian: a l Anton. Pium.

^k Poi supra & ad Scapul.

^l In Inl. orat. 1. m Ep. 33.

ⁿ Ep. 42. ad frat. Madaur.

^o In Mat. can. 23. p Sent. 99.

^q Ubi supra. r Ep. 170. ad Reg. Ludovic.

^s In Roman. r Sleid. Com. l. 5.

^u In Resp. ad Artic. Rusticorum, Quando

quid precipitur contra publicam

justitiam, cuius generis sunt bo-

norum exactio, aut corporis ve-

xatio, subditum in huiusmodi in-

juriis obedientia decet.

^x Apud Luth. tom. p. 463.

Quamvis videamur promississe o-

bedientiam hac co-

ditione si legitime imperet Magi-

stratus, tamen no ideo licet injusta vim Magistratus

vi depellere. Vid. Arer. loc. 153.

z Inſtit. l. 4. c. 20
ſ. 24. to 30. ac
abi ſupra.

a Vbi ſupra.

b Sub Hen. 8. de
Chriſt. hom. inſtit

c The opinion
of the Congre-
gation, Art. 39.
Edit. An. 1564

d We know that
though we bee
free, we ought
wholly in true
faith holily to
ſubmit our
ſelves to the
Magiſtrate both
with our body,
and with all our
goods. vide

Harm. conf. tit.
Civil. Magiſtr.

e Art. 36. All
men of what
dignity, ſtate
or condition
ſoever they be,
ought to be ſub-
ject to their
lawfull Magi-
ſtrates, and pay
unto them
Subſidies and
Tributes, and
obey them in al
things which
are not repug-
nant to the
Word of God

Vide nōi ſupra.

f Vbi ſupra. g De Magiſtrat. h In loc. i True Pietie bindes the
ſubject to deſire a good Sovereigne, but to beare with a bad one, and to take up the bur-
then of Princes with a bended knee, rather in time to deſerve abatement, then reſiſt au-
thoritie. View raigne Hen. 3.

z Calvin, a Beza, b Cranmer, and the Biſhops
and Divines of England, c The Miniſters of the
Reformed Churches, d the former Confession of
Helvetia, the Confession of e Belgia, f Bucanus,
g Chytrens, yea and h Paræus (ſome of which
otherwiſe are not ſo juſt to Princes) ac-
knowledge in this particular, That if a
Prince impoſe an immoderate, yea an unjuſt
Taxe, i yet the ſubject may not thereupon
withdraw his obedience and dutie; Nay hee is
bound in conſcience to ſubmit, as under the
ſcourge of his ſinne; for, *Quamquam actio
immoderata, ſive expilatio injuſta eſt, tamen paſ-
ſio eſt juſta*, ſaith Bucanus. So that, as Paræus
(for I ſtill intend eſpecially to make uſe of
Anti-royaliſts, becauſe they cannot be excep-
ted againſt in this point) as Paræus, I ſay
obſerves upon thoſe words, verſ. 6. For
this cauſe pay you Tribute alſo: *Non dicit
Apoſtolus propter hoc etiam Tributa exigunt,
ſed Tributa eis ſol-vitis; docens ſemper juſtè ſol-
vi tributa à ſubditis, licèt aliquando non juſtè exi-
gantur à Magiſtratu*: The Apoſtle doth not

ſay

say, For this cause they exact Tribute; but you pay them Tribute; thereby teaching, that Tribute may *alwayes bee justly, and with a good conscience, paid by the subject*, although it be sometimes unjustly imposed and exacted by the Ruler: and he gives the instance in the Iewes and Romanes; *Romani malè ad se traxerunt censum Templi, quem justè pendebant Iudæi*: And we might amplifie it in our Saviour, paying tribute although free, & rather working a Miracle to pay, than have offence taken by the Ruler, Mat. 17.25.26.27.

Nor was this onely the *Custom of Conquerers*, in forraine Kingdomes, which they invaded; but even of Native peacefull Kings, to their naturall Subjects, in those Dominions whereto they were elected, or wherein they succeeded; as appears in Saul taking both the substance and Persons of the Israelites, 1 Sam. 8. 11. to 17. And in Solomon laying Taxes upon the same people, 1 Reg. 12.4. And how fearfull the very indeavoring to shake off these Burthens, (though too heavie to beare) hath proved, may appeare by that instance never to be imitated, of that people

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** Non id jure facturi erant reges, quos optime ad omnem continentiam lex instiuebat, sed jus in populum vocabatur, cui parere ipsi necesse esset, nec obistere licet; ac si dixisset Samuel, eò se praecepit libertatis Regum libido, quam cohibere vestrum non erit, quibus hoc restabit unum jussa excipere, ac dicto audientes esse, Cal. 4. in ff. cap. 20. § 26. I dispute not here whether this be jus Regni, or praxis Regum; but suppose it be but the practise of Kings, & more than right, yet ye see Calvins judgment is Hos unum restat jussa excipere.*

in Rehoboams time, where the attempt to free their bodies and states from Sovereigne Invasi^on, captivated their soules under Idolatrous Superstition, 1 Reg. 12.16.26.33.

Oh, let not us then conceive to our selves a Conscience grounded upon suspicious conjectures, de futuris contingentibus; concerning which, no man can set downe certainties; And we are bound to beleieve the best concerning all men, much more concerning our Sovereignes promises, as^b Polanus and Tilenus truly. Nor let us square our consciences by the Lesbian Rule of Iesuites and Schismatikes, contrary to all the current of Antiquity, as even themselves are forced to confesse, whilest^c they childishly answer, that the primitive Christians obeyed their Rulers, onely because they had not then power to resist; which besides that^d S. Cyprian ad Demetrian, clears to the contrary, whilest he tels us, *Nemo nostrū quando apprehenditur reluctatur, quamvis nimius, & copiosus, noster sit numerus.* I hope Saint Pauls doctrine, both in this Chapter and 1 Tim. 2.1.2. and Saint Peters, 1 Pet. 2.13.14. is the same to us, it was to them:

^b Quibus debetur candor (iustitia politica distributiva:) cuius est, interpretari omnia in bonam partem, proximo non detrahere, & detrahentibus aures non praebeere, cum quo pugnat calumnia seu obtreclatio, suspicacitas, & dissidentia.

^c Bellarm. de Ro. Pont. Buchanon de jure Regni. apud Scot.

^d Et Clem. Rom. Recognit. l. 1. fol. 22 & Aug. & c. vid. Belfon tract. of Christian Subjection part

^e Et Waddington A. vol. cont. Bellarm. pro jure Princip. et Consult. of the Reply of T. F.

yea and our Saviours *Reddite Cafari, Mat. 22. 18.* was not with a *Rebus sic stantibus*, like that ^a Bull of Gregory the thirteenth.

O let us not therefore, I say, conceive to our selves such *scruples*, as not to give *Tribute* where and when *Tribute* is due, or to refuse a ^b *Loane*, or any other *Aide*, which is not *unjustly exacted*; and which is ^c *promised* shall not be *immoderately demanded*, especially, considering that thereby, wee who are bound ^d to lay downe our lives for our brethren, may by laying downe a little of our *estates*, save our *owne lives*, and our brethren: Yea further considering, that it is not our brethren onely, but our selves also that are in danger, as is more than probable by the proceedings in forraine parts. And further this may be considered also, that not onely our bodies are in danger of warre and wounds; but our soules, of *Heresie* and *Superstition*; Religion it selfe (as it is established in this Kingdome) being the marke that is shot at in this businesse.

Oh consider what it would availle to winne the whole world, much lesse our wils,

^a Granted to the Papiſts in England at the procurement of Campian and Parsons 1580.

^b For it is but borrowed. *Vid. Martin Hiſt. of 20. Kings Ed. 3. an. 14. 1339. p. 103. et Hollinſhed. Hen. 8.*

1522. p. 874.

^c *ibid. ann. 14.*

15. 1523. p. 877.

^d *an. 34. 1541*

p. 957.

And the most, if not all of those who best know the lawes of this kingdome, haue lent at this time, which assuredly they would not have done, if they had not known that it was neither vnjust nor vnlawfull

^e In his Majesties commission and Proclamation.

^d 1 John 3. 16.

and lose our soules; And seriously consider, how as *Ieroboam* tooke the opportunitie of the breach betwixt *Rehoboam* and his Subjects, to bring *Idolatry* into *Israel*: So the *papists* lye at waite, if they could find a Rent betwixt our Soveraigne and his Subjects, (which the Lord forbid) to reduce superstition into *England*: I speake no more than I have heard from themselves, whilest I have observed their forwardnesse to offer double ^a according to an act of Parliament so providing; yea to profess, that they would depart with the halfe of their goods: And how or why can this forwardnesse be in them, but in hope to cast the imputation of forwardnesse upon us? and so to seeme (that which the *Iesuite* will not suffer them to bee) loving and loyall Subjects. Nor speake I this as a ^b Sycophanticall Time-server, nor as a Statizing Court Oratour; or one who had left God to preach for the King; as some are too apt uncharitably to censure; unchristianly dividing God and the King. Yea sooner would I with *James* the first Bishop of *Hierusalem*, have my braines beaten out with clubs; or with *Romanus* the Martyr, have

^a *Anno primo*
Reg. Carol. the
Act for the sub-
sidie of the Lay-
tie, whereby
Popish Recu-
sants were to
pay double
^b For it is well
knowne that
I preached di-
verse Sermons
in the *Lecture*
at *Brackley* to
perswade to the
reliefe and ayd
of Religion, the
State, and our
afflicted Bre-
thren and Con-
federates, long
before there
was any speech
of the *Loane*.

^c *Euseb. l. 2. c. 23*

^d *Idem. l. 8. c. 10*

have my tongue plucked out of my head; or with those ancient *Martyrs* of ^e *Antioch*, or ours of later times, *burne* off my own hand, than my braines should be made the Instrument to invent, my tongue to utter, or my hand to write and defend that, by which *Christian Libertie* should bee captivated; *Tyranny* erected; ^f *Heaven* forced to descend to serve *Earth*; *Divinitie* made the Handmaid of *Policie*; or *Religion* the Stalking-horse of the State: But out of an *unfained feare* of future Events at home and abroad, to the Church and State; out of an earnest zeale to God and Religion; Out of a fellow-feeling of our Brethrens Miseries; out of a religious desire, that wee may all avoid that sentence from the Almighty, *Curse ye Meroz*, yea curse them bitterly, because they went not out to fight the battailes of the Lord, to helpe the Lord against the mightie, *Iudg. 5. 23*. Out of an affectionate indeavour that each particular may escape that imputation; *The divisions of Ruben were great thoughts of heart*, *Iudg. 5. 15. 16*. As of sinceritie, as of God, in the sight of God, I speak my conscience in Christ, both concer-

^e *Ibidem. c. 12.*

^f *Bacon, Hen. 7*

^a Ambros. in loc.
 Reddi vult ab
 omnibus debita,
 quia et potentes
 sunt debitores in-
 ferioribus ut re-
 spondeant meri-
 tis illorum. Sic
 Catv. Instit. l. 4
 c. 20. s. 29. et conf.
 Bobem. et Bucan.
 c. 49. q. 30. et
 Chyt. in precept. 5
^b L. 5. de Pont.
 Rom. c. 6. 7.
^c Justit. Cathol
 lit. 46. s. 75.
^d L. 1. instr. c. 13
^e Doleman
^f Philopater
^g De visib. Mo-
 narch. l. 2. c. 4.
^h Didymus. p. 261
ⁱ Jes. l. de justa
 abdicat. p. 46.
 Rayn. Idus de
 justa autorit. p. 8
 Azorius Inst.
 mor. c. 15. Bozius
 de Eccl. monarch.
 temporal. ad
 Clem. 8.
^k De iure reg.
 apud Scot.
^l Apol. et Hist. r
^m De Polit.
 Christ. l. 2. c. 6
ⁿ Conference
 &c. and before
 the King and
 Councell. De-
 cemb. 21. 1585.
^o In Q^{ue} Mariæ
 time, &c. vid.
 Bilson part. 3. cit.
 p. 516.

ning what is the duty of, & the due to the head
 of this body politike, which is the King.
 And I earnestly pray, and stedfastly hope,
 that hee which doth, and they which shall
 sway the Scepter of this Kingdome, will
 consider, that ^a Rulers also owe mutuall duties to
 their Subjects, as 1 to establish and defend Reli-
 gion, and the law of God; as (the Lord be prai-
 sed) ours hath done; 2 to maintaine the funda-
 mentall Lawes and Liberties of the Kingdome, as
 wee may certainly perceiue hee doth and
 will doe; 3 to provide for the Common Safetie
 and Peace of the Subjects; as all may see he is
 doing; 4 Not needlesly to exhaust, nor prodigally
 to mispend the Treasure of the State; which as-
 suredly no man can say he hath done; yea
 and I doubt not but he and they will easily
 discern, what a difference there is betwixt
 his happy Throne, and the tottering State of
 those, who should governe in a Common-
 weale, where the Religion was directed by
^b Bellarmine, ^c Simancha, ^d Tolet, ^e Parsons,
^f Creswell, ^g Saunders, ^h Stapleton, and that
 Jesuited societie; Or by ^k Buchanon, ^l Knox,
^m Daneus, ⁿ Iames Gibson, ^o Goodman, before
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the time of his Recantation, and that factious fraternitie; The one of which makes the Church above the King, and the Pope above the Church, and so dethrones Princes by his Thunderbolts of Excommunication and Deprivation. The other make the Law above the King, and the people above the Law, and so depose Princes, by their Tumults, and Insurrections; yet that I may not wrong them, (nor we wrong our selves and our Sovereigne, by opinions borrowed from them, but misunderstood,) the later sort (if I understand) stretch not so farre, as against an Hereditary successive Ruler; but onely to those, *qui constituuntur, vel per populi consensum, vel per senatum, vel per electores, vel per alios Magistratus*; who are placed over the people, 1 either by the consent of themselves in general; 2 or by the Senate or Parliament in special; 3 or by Electors in particular; 4 or by other Magistrates and Rulers which are Superiours; And of these they hold, that *quorum est constituere, eorum est etiam enormiter grassantes coercere*; which paradox, although I have not time to dispute, yet

^a *Param in loc. explic. dub. de potestate civili, propositis. 2. rat. 3.*
And Buchanan *de jure regni apud Scos* about the latter end of that factious discourse, layes the like ground for all his Rebellious positions.

I may conclude positively, that, howsoever this trencheth not upon our Princes, nor warranteth any waywardnesse in our State. And therefore I leave them and their digladiations about *Elective Dignities*, and praying for the peace of our hereditary setled Kingdome, descend to take a view of the Trunke of this body Politick, which is the *Common-weale*. Where, although I name onely the *Common-weale*, yet I would not be understood as if I intended to exempt the *Clergie*; The *Church* and *State* being so nearely united, that though they may seeme two bodies, yet indeed in some respects they may be accounted but as one, in as much as they are made up of the same men, which are differenced onely in relation to *spirituall* or *civill ends*; so that whereas *vers. 1.* Every soule is injoynd to be subject in performance of this dutie; *Ostendit Apostolus quod ista imperentur omnibus, & sacerdotibus, & monachis, non solum secularibus; Etiam si Apostolus sis, si Evangelista, si Propheta, sive quisquis tandem fueris*, saith *S. Chrysostome*; whatsoever the Pope and his Shavelings glosse to the contrary. But leaving

ving them, as not so fit subjects for the present occasion : Although the *Common-weale* be safest and most beautifull when it is at *unitie* in it selfe, and *divisions* are alwayes *dangerous*, yet that the *speciositie* may the better appeare to us, wee must survey it by particulars ; Of which the remainder of this short houre here, will give us leave to shew but a few : Nor know I whether the *Law* should be reckoned in this ranke, or as a *medium* betwixt the Prince and People : But whereas the *Law* is a *mute Iudge*, and the *Iudge a speaking Law* ; so that these two are sometimes *Termini convertibiles* ; and the State can as ill stand without the one as the other ; the *Law* restraining the *Iudges affection*, and the *Iudge* supplying the *Lawes defect* ; I will here point at them promiscuously, in these foure particulars following.

The *Dutie* therefore of the *Law* and *Interpreters* of the same is,

First ; to be *just*, *without tyranny* ; not, *Sic volo, sic jubeo, stet pro ratione voluntas* : That were too cruell for a *Conqueror*.

Secondly ; *Equall without partialitie* : The

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same Law shall be to him that is borne in thine house, and to the stranger, *Exod. 12. 49.* And thou shalt not respect the person of the poore, nor the rewards of the rich in judgement, *Exod. 23.* this is needfull even for a *Iustice in the country.*

3 Thirdly; They must be *moderate without extremity*, for *Summum jus summa injuria*; But this is most proper for an *arbitrary* triall, or the *Chancery.*

4 Fourthly; They must be *plaine without ambiguitie*: Not like those Lawes in the Conquerors time, of which *Hollinshead* complaines, that the peoples estates were confiscate, before they knew the Law, or understood the meaning of it; And this I take to bee *proper and peculiar* to you, who are the *Reverend Grave Interpreters* in these Solemne Iudicious Assemblies; which I hope you will so explaine, that these times shall not need to complaine, that they are made *snares and traps to catch men.* *Ieremie 5. 26.*

And as there are these *Duties* of the Law and Law-givers; so is there *Due* to the Law,
First

First *Execution*, which is the life of it : and
secondly *Obedience*, which is the fruit of it ;
or else lastly *punishment*, which is the power
of it : So that whosoever will not doe the
Law of *God*, and the Law of the *King*, the
Iudges must judge him, and let judgement
be executed speedily upon him ; whether it
be unto *death*, or unto *banishment*, or to *con-*
fiscation of goods, or to *imprisonment*, *Ezra* 7.
25. 26.

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Wherein I need not to pursue the expla-
nation of what is due to every particular
offendor; As that he who is a *Traitor to the*
King, should bee destroyed, and made an
Example of obloquie to posteritie, as *Big-*
than and *Terefh*, *Esth.* 6.2.

He that *sheds mans blood*, by man shall his
blood be shed, *Gen.* 9.6.

He that *wounds another*, must suffer an eye
for an eye, and a tooth for a tooth, *Exod.*
21. 24. Although not *lege talionis*, yet *Reta-*
liationis, by making satisfaction, *vers.* 19.

He that endeavors to *damnifie anothers cre-*
dit by false rumours, or *his state by false witnesse*,
as he would have done to another, so shall

it be done to him, *Deut. 19. 16. to 20.* either *patiendo*, by suffering punishment, or *faciendo*, by paying Damage, or by both.

These I say and infinite others, neither will *time* permit, nor doth your *experience* stand need; nor will the *difference betwixt the Jewish and Christian Common-weales* give leave, to parallell in all particulars; Onely as I am assured that you which are to judge, will doe it as for the Lord, and not for men, *2 Chron. 19. 6.* So I humbly and earnestly entreat, (for I will not presume to advise) whereas by the *Law of God*, a *disobedient riotous person, and a drunkard*, upon complaint of the parents, was to bee stoned, *Deut. 21. 20. 21.* yea and by the *lawes of this Land*, such are to be severely punished. And whereas there are daily *complaints* of their *naturall parents*, (although not *coram Iudice*) against them with *sighes* and *teares*; whilst they feeble their *substance* exhausted, heare their *names* discredited, see their *neighbours* abused, yea oftentimes their *owne lands*, (which they in hope to advance them passed over to them) passed away and wasted
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in their life time, and all their hopes frustrated. And whereas almost hourly, their spirituall Parents complaine against them in the Pulpit, and their Politicall Parents, threaten them *pro Tribunali*, and yet can have no amendment; I humbly and earnestly intreate you, that you will not suffer such *Locusts* to consume that, which might maintaine many able men, to doe the King and Countrey service; and they thereby make themselves unfit and unable for all imployment; And that you will not suffer the *Horse-leach*, the *Alehouse-keeper*, the sinke and common receptacle of the finnes of a Towne or Citie, to thrive by the undoing of the Spendthrift and of the Common-wealth. Let not *Dalilah* be enriched by betraying *Sampson* to slavery, nor the *Harlots* ruffle with the *Prodigals* portion, whilest hee eates huskes with Swine; but let these *fratres in malo*, partake together of the punishment, as they have done of the sinne.

And whereas, there is not onely a Law of God, but even of man against the prophaning of the Lords day; which concernes the

fourth Commandement. And another against *swearing*, which concerns the third Commandement; Let not the one be broken euen before your seates of *Iudicature*, whilest you have a *Pleader* vouch his *Assertions* with his owne *oathes* in stead of other *evidence*, as if he would make good the defects of his *Rhetoricke* with his *reputation*; or as if he had received a *Double Fee*, the one to *Argue*, the other to make *Affidavit*; and yet passe unpunished, for examples sake. Neither leave you *God*, as the Father of *Gideon* did *Baal*, to plead for himselfe, *Iudg. 6. 32.* lest hee plead against you with that *Record*, *Zach. 5. 1. to 5.* which will consume your houses with the Stone and Timber; Lest he *witnesse* against you with that *evidence*, *Malac. 3. 5.* which speedily shall convict you; lest hee passe that *sentence of guiltinesse* upon you, from which you can procure nor *pardon* nor *reprieve*. Let not the other which concerns the *Lords day*, seeme to have been consented to, onely upon the importunitie of a few precise persons, but never intended for execution, lest God set such a

memorandum upon them and you (who will not be carefull of the *memento* set upon that Commandement) that *who so heareth of it, both his eares shall tingle.*

And as you must be thus *single-hearted*, who are the *Heart* of this *Body politike*, so to the end that the whole *Body* may be *cleare*, those which are to be your eyes, the *Jurors*, and those which are to be their *Optickes*, the *evidence*, must take heed that they bee not *blinded*, either with 1 *feare*, 2 *affection*, or 3 *reward*; for if the eye be darke, ^a πὸ οὐδὲ πῶς οὐδὲ how farre out of the way must the best members wander?

a Mat. 6. 23:

Let not therefore a great mans *Livery*, prove like *Achans Babylonish garment*; nor a rich mans *purse*, like his *wedge of gold*; neither let any be found amongst you of the *Jurie*, who (like the *High Priests* against *Christ*) have so much respect to the *Common cause*, (for feare it should prejudice your owne interest hereafter) that you will forfeit your *Private consciences* for the present; If we let him alone, the *Romans* will come and take away our government: *Ioh. 11. 48.* So if you let this

or

or that passe, it will be a *leading case* against your *Command* or *Commoditie*, and therefore crush it, be it *right* or *wrong*.

Yea and those which are to bee your *Hands*, (for I must still follow the Allegorie of the body, and it fits us,) your *servants* and *officers*, must not be like *Blastus*, *Herods Chamberlaine*, who so they may have the *feeling of a Fee*, from them who give it for love of their owne *Licentiousnesse*, and not of *Law* or *Iustice*, will procure a peace for men as wicked as *Tyre & Sydon*; *Act. 12.22*. These things if you beware of, you will make up a *sound body*, be seeming so *beautifull a Head*, as was before described; and upon the accomplishment of these Duties, (*Right Reverend Sages*) you may expect and cannot misse of these *Dues*; *Commendations* and *Cherishing* from our *Soveraigne*; *Thanks* from your *Countrie*, in the generall; *prayers* from the *Sutors*, in particular; *Temporall honour* upon earth; and *eternall glory* in Heaven;

In hope of which Duties to bee performed by you, and *Dues* to bee prepared for you, I will proceed to the *Third Thesis*, which is

That

That although there be Duties to which Christians are so obliged, and all have their part in the matter of that obligation or dutie yet they have it in a different degree or manner, every man in his proper and peculiar place and order: designed in this word (*Their*) *Their Dues*.

The People must not be *busie-bodies* to pry into the Princes Dutie, the Laitie into the Clergies, or the Iuror into the Iudges, but every one into his owne, as wee have a President, Luke 3. vers. 10. to 15. where the people doe not come and complaine of the *Exaction* of the *Publicans*, nor the *violence* of the *Soldiers*, but inquire of their *owne dutie*, what shall *we* doe? and receive directions accordingly. The *Publicans* doe not complaine of the *backwardnesse* of the people in *payments*, or of the *Souldiers* in *clamorousnesse*, but inquire, what shall *we* doe? and are instructed in their peculiar dutie. The *Souldiers*, doe not complaine how the people *rebelled* and the *Publicans* *with-held their pay*, but come with what shall *we* doe? and are instructed according to their calling. Teaching us that none should be *Curiosus in aliena*

Republica, and *Desidiosus in sua*: Aug^l *Stella*, and *Gualter*, *Quid de me loquuntur homines?* what say men of me? and who am I? is the question of a *carefull man*, exemplified in our Saviour, *Matth. 16. 13. Tu quis es?* who or what art thou? is the question of a *captious man*, represented in the Pharises Messengers, *Ioh. 1. 19. 22. But, Quid hic faciet?* what shall this man doe? is the inquisition of a *curious man*, *Ioh. 2. 1. 21.* yea and Saint Peter himselfe cannot passe with it, without the reprehension of *τί σοὶ οὗτο;* what is that to thee? verse 22. For often times it drawes upon them who delight in it, such *deserved destruction*, that *Funcius* his funerall verses had been a more profitable Meditation, then this their Polypragmaticall disposition;

Disce meo exemplo mandato munere fungi,
Et fuge ceu pestem τὴν πολυπραγμοσύνην.

Let my death teach thee how to frame thy life.
 Fly censure like the plague, it breeds but strife,

Which that every man may be the better contented to doe, and to containe himselfe within the *Lists of obedience and limits of his calling*, I will onely briefly point at the
 man-

manner of practise required at every mans hands, to the end that he may performe his dutie according to this order which must be

Fourthly, *not for meere Compulsorie necessitie, but voluntarily and cheerefully*: denoted in this word *Give* or *Render*.

4

Cranmer and *Thomson*, render it [*Give*] intimating that it should not bee done grudgingly or of necessity, as the Apostle speakes of Charitie, *2 Cor. 9. 7.* For *Nec leprosa obedientia, nec canina patientia, Deo commendatur, Bern.* A lame obedience, which comes slowlie after, and a dogged patience, which goes snarling and grumbling on, lose part of their grace and gratefull acceptation.

A *Christian* must doe his duties with cheerefulnesse, *Rom. 12, 8.* and *2 Cor. 9. 7.* before cited; for *Conscience sake*, and not for *Necessitie*, verse 5. of this chapter. *Give* as of good will, although it were not his dutie to render or pay.

But the *Vulgar*, *Tremelius*, *Beza*, and the *Kings Bible*, read it [*Render*] which agreeth with the Greeke Text *ἀποδοτε*; By which word

^a In loc.

^b Or Theophil.
Vid. similiter,
Pet. Mart.
Muscul.
Gualt.
Aret.

word as ^a Marlorat observes, *significat debitum quoddam inexcusabile subditis impositum esse*; The Apostle signifieth, that there is an inexcusable debt lying upon the Subjects; which hee seemes to have borrowed from ^b Athanasius, or Volgarius; who adde further, *quod solvere principibus debeas*, which ought to be paid to Princes; which might teach the Subject even in case of policie to take out that lesson, *Fiat voluntarium quod futurum est necessarium*; Doe thou thy selfe make that Voluntary, which others may make thee doe of necessity: And if it were but even for this Cause, *Render therefore to all their dues.*

F I N I S.

